

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

STEWART ABRAMSON, individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

ALLEN MARKETING GROUP, INC.

Defendant.

**Case No. 2:25-cv-00043**

**JOINT REPORT OF RULE 26(f) MEETING**

In accordance with Federal Rule of Civil Procedure 26(f) and Local Rule 16.1, Local Rule 23.B, counsel for the parties submit the following joint report of their meeting for the court's consideration:

**1. Identification of Counsel and Unrepresented Parties**

a. Plaintiff Stewart Abramson ("Plaintiff")

Anthony I. Paronich  
Paronich Law, P.C.  
350 Lincoln Street, Suite 2400  
[o] (617) 485-0018  
Hingham, MA 02043  
[anthony@paronichlaw.com](mailto:anthony@paronichlaw.com)

b. Defendant

Lisa A. Messner  
Mac Murray & Shuster  
6525 West Campus Oval, Suite 210  
New Albany, Ohio 43054

(614) 939-9955  
lmessner@mslawgroup.com

## **2. General Nature of the Case**

*Plaintiff's Position:* Plaintiff has brought this action under the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227, a federal statute enacted to regulate telemarketing practices. *See Mims v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740, 745 (2012). Plaintiff alleges that Allen Marketing Group, Inc. sent calls promoting their goods and services, including to numbers that were on the National Do Not Call Registry, such as the Plaintiff. Those calls were made without the call recipient's prior express written consent.

*Defendant's Position:* Defendant believes, after reasonable investigation, that the calls Plaintiff alleges to have received were not placed by or authorized by Defendant. Further, based on a prior agreement between the Parties, Defendant's position is that Plaintiff's claims are barred in whole or in part by Plaintiff's failure to meet certain terms of that prior agreement.

## **3. Date of Rule 26(f) Conference**

The Rule 26(f) conference was held telephonically on May 15, 2025 and was attended by Anthony Paronich for the Plaintiff and Lisa Messner for the Defendant.

## **4. Date of Rule 16 Conference Scheduled by the Court**

The Court has scheduled the Rule 16 conference to be held on June 6, 2025.

## **5. Anticipated Rule 12 Motions:** None.

## **6. Designation of ADR Process:**

**Plaintiff:** Mediation

**Defendant:** Mediation

## **7. Rule 26 Disclosures**

The Parties will exchange Disclosures on or before June 5, 2025.

## 8. Subjects of Discovery

### A. Plaintiff's Proposed Subjects of Discovery

Plaintiff seeks discovery on the following subjects: (1) Defendant's and/or third-party call data regarding Plaintiff and the class; (2) identification of class members; (3) Defendant's policies and procedures regarding compliance with the TCPA; (4) Defendant's affirmative defenses, such as any consent to make the calls at issue; (5) Defendant's negligence or willfulness regarding any TCPA violations; (6) Defendant's document retention policies; (7) identification of witnesses; and (8) Defendant's relationship with any third parties that may have relevant information surrounding this matter.

### B. Defendant's Proposed Subjects of Discovery

Defendant seeks discovery on the content of the calls Plaintiff alleges to have received and any recordings or contemporaneous notes Plaintiff possesses related to such calls. Defendant seeks discovery related to Plaintiff's prior litigation and prior dealings with Defendant. Defendant reserves the right to seek discovery regarding additional matters as its investigation of facts is ongoing.

## 9. Suggested Dates

### A. Proposed Discovery Plan:

Event	Parties' Proposal
Additional Parties	September 12, 2025
Pleadings Amended	September 12, 2025

<b>Submit Plaintiff's Expert Report(s)</b>	December 11, 2025
<b>Submit Defendant's Expert Report(s)</b>	January 9, 2026
<b>Fact Discovery Completed</b>	January 16, 2026
<b>File Motion to Certify Class</b>	January 30, 2026
<b>Post-Discovery Status Conference</b>	TBD by the Court

#### **10. Changes to Limitations in Discovery**

None.

#### **11. Electronic Discovery**

The parties expect much discovery will be in electronic form, but the parties do not believe an ESI special master is needed at this time. The parties will work together to develop an ESI discovery plan.

#### **12. Post-Discovery Status Conference**

The parties are requesting a post-discovery status conference.

#### **13. Rule 16 or 26 Orders**

The parties will discuss entry of a Confidentiality/Protective Order regarding treatment of documents produced in discovery, should discovery proceed.

#### **14. Special Master**

The parties are not requesting the appointment of a special master relating to any issues at this time.

#### **15. Disagreements between the Parties in this Report.**

None at this time.

Dated: May 15, 2025

PLAINTIFF,  
By his attorneys

/s/ Anthony I. Paronich

Anthony I. Paronich  
Paronich Law, P.C.  
350 Lincoln Street, Suite 2400  
Hingham, MA 02043  
(617) 485-0018  
[anthony@paronichlaw.com](mailto:anthony@paronichlaw.com)

DEFENDANT,  
By its attorney

/s/ Lisa A. Messner

Lisa A. Messner  
Mac Murray & Shuster  
6525 West Campus Oval, Suite 210  
New Albany, Ohio 43054  
(614) 939-9955  
[lmessner@mslawgroup.com](mailto:lmessner@mslawgroup.com)